

CRIMINAL CAUSE FOR SENTENCING

Before: **HON. DORA L. IRIZARRY, U.S.D.J.**

Date: **August 13, 2010**

Docket Number: **08-CR-798 (S-1)**

Time in court: **1:00**

Defendant's Name: **WILFRIDO CARABALLO** **#3**

☒ Present ☐ Not Present ☒ Custody ☐ Bail

Defense Counsel: **LAWRENCE FEITELL & BENNETT FEITELL**

☐ Federal Defenders ☒ CJA ☐ Retained

AUSA: **ANDREW GOLDSMITH**

Probation Officer: **CAROL SEWELL-RHODEN**

Pretrial Services Officer: **ANNA LEE**

Spanish Interpreter: **PETER ANDERSON**

Court Reporter: **ANTHONY MANCUSO**

Deputy Clerk: **CHRISTY CAROSELLA**

- Defendant pled guilty to lesser included offense of count 1 of Superseding Indictment before Magistrate Judge Steven M. Gold on 10/1/2009. The Court accepts the defendant's guilty plea.
- Presentence report ordered amended as stated on the record.
- Statements of the government, defense counsel, and the defendant are heard prior to the imposition of sentence.
- **SENTENCE IMPOSED**: 46 months in custody; 5 years of supervised release.
- **MONETARY PENALTIES**: \$100.00 special assessment imposed; no fine due to inability to pay.
- **SPECIAL CONDITIONS OF SUPERVISION**: 1) Defendant may not possess a firearm, ammunition, or destructive device; 2) if deported, the defendant shall not reenter the United States illegally; 3) if not deported, the defendant shall obtain a GED, maintain lawful, verifiable employment, and provide child support for his son.
- Open count 19 and underlying indictment are dismissed upon the government's motion.
- Appeal waived pursuant to plea agreement. Nevertheless, Court advises defendant of right to appeal.
- **RECOMMENDATION TO BUREAU OF PRISONS**: 1) Participation in GED and/or educational/vocational training programs if available; 2) designation to a facility near the NYC area for family visitation.
- Defendant remanded upon his own request.
- CJA authorization for minutes of this proceeding is granted.